

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

See Attachment A - Defendant Information Sheet

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: See Attachment A - Defendant Information Sheet

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

DEFENDANT - U.S.

▶ ALBERTO LAREZ

DISTRICT COURT NUMBER

CR 12 792**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

FBI SPECIAL AGENT RUSSELL NIMMO

- ☐
- person is awaiting trial in another Federal or State Court, give name of court

- ☐
- this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

- ☐
- this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE
SHOW
DOCKET NO.

- ☐
- this prosecution relates to a pending case involving this same defendant

MAGISTRATE
CASE NO.

- ☐
- prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

Asst U.S. Atty Kathryn Haun

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1)
- ☒
- If not detained give date any prior summons was served on above charges

- 2)
- ☐
- Is a Fugitive

- 3)
- ☐
- Is on Bail or Released (show District)

IS IN CUSTODY

- 4)
- ☐
- On this charge

- 5)
- ☐
- On another conviction

☐ Federal ☐ State

- 6)
- ☐
- Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**

- ☐
- SUMMONS
- ☐
- NO PROCESS*
- ☒
- WARRANT

Bail Amount: No Bail

If Summons, complete following:

- ☐
- Arraignment
- ☐
- Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: Before Judge:

Comments:

United States v. Alberto Larez, et al
Defendant Information Sheet
Attachment A

(1) **ALBERTO LAREZ, a/k/a "Bird"**

COUNT 1: 18 U.S.C. § 1962(d) — Racketeering Conspiracy

Maximum term of life imprisonment

Maximum term of 5 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 2: 18 U.S.C. § 1959(a)(5) — Conspiracy to Commit Murder in Aid of Racketeering

Maximum term of 10 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 3: 18 U.S.C. § 1959(a)(6) — Conspiracy to Commit Assault with a Dangerous Weapon in Aid of Racketeering

Maximum term of 3 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 4: 18 U.S.C. §§ 924(c)(1)(A) and 2 — Use/Possession of Firearm in Furtherance of Crime of Violence

Maximum term of life imprisonment

Mandatory minimum term of 5, 7, or 10 years' imprisonment, to be imposed consecutive to any other term of imprisonment

Maximum term of supervised release of 5 years

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 20: 18 U.S.C. § 371 — Conspiracy to Obstruct Justice

Maximum term of 5 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another
Mandatory special assessment of \$100

Count 21: 18 U.S.C. §§ 1512(c)(2) and 2— Obstruction of Justice

Maximum term of 20 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

Count 22: 18 U.S.C. §§ 1519 and 2 – Concealment of Object to Obstruct Investigation

Maximum term of 20 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

See Attachment A - Defendant Information Sheet

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: See Attachment A - Defendant Information Sheet

Name of District Court, and Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

DEFENDANT **U.S.**

SHANE BOWMAN

DISTRICT COURT NUMBER

TB

CR 12**792****DEFENDANT****IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1) ☐ If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction } ☐ Federal ☐ State
- 6) ☒ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

NDCA - OAKLAND DIVISION

 Has detainer been filed? ☒ Yes ☐ No

If "Yes" give date filed June 2012

DATE OF ARREST Month/Day/Year June 2012

Or... If Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY Month/Day/Year

☒ U.S. Attorney ☐ Other U.S. Agency

Name and Office of Person Furnishing Information on this form MELINDA HAAG

Name of Assistant U.S. Attorney (if assigned) Asst U.S. Atty Kathryn Haun

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: No Bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address:

Date/Time: Before Judge:

Comments:

(2) **SHANE BOWMAN, a/k/a "Huero"**

COUNT 1: 18 U.S.C. § 1962(d) — Racketeering Conspiracy

Maximum term of life imprisonment

Maximum term of 5 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 2: 18 U.S.C. § 1959(a)(5) — Conspiracy to Commit Murder in Aid of Racketeering

Maximum term of 10 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 3: 18 U.S.C. § 1959(a)(6) — Conspiracy to Commit Assault with a Dangerous Weapon in Aid of Racketeering

Maximum term of 3 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 5: 18 U.S.C. § 371 — Conspiracy to Obstruct Justice

Maximum term of 5 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 6: 18 U.S.C. §§ 3 and 1959(a)(1) — Accessory After the Fact to Racketeering Murder

Maximum term of 15 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 7: 18 U.S.C. §§ 1512(c)(2) and 2— Obstruction of Justice

Maximum term of 20 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 8: 18 U.S.C. §§ 1519 and 2 – Destruction of Object to Obstruct Investigation

Maximum term of 20 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 9: 18 U.S.C. §§ 844(h) and 2 – Use of Fire to Commit Felony

Maximum term of 10 years' imprisonment

Mandatory minimum term of 10 years' imprisonment, to be imposed consecutive to any other term of imprisonment

Maximum term of supervised release of 3 years

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 10 and 11: 18 U.S.C. §§ 1959(a)(3) and 2 – Assault with a Dangerous Weapon in Aid of Racketeering

Maximum term of 20 years imprisonment

Maximum term of supervised release of 3 years

Maximum fine of the greatest of either: (a) \$250,000; or (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 12: 18 U.S.C. § 1951(a) — Conspiracy to Commit Robbery Affecting Interstate Commerce

Maximum term of 20 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 13: 18 U.S.C. §§ 1951(a) and 2 — Robbery Affecting Interstate Commerce

Maximum term of 20 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 14: 18 U.S.C. §§ 924(c) and 2 – Possession of a Firearm in Furtherance of a Crime of Violence

Maximum term of life imprisonment

Mandatory minimum term of 5, 7, or 10 years' imprisonment, to be imposed consecutive to any other term of imprisonment

Maximum term of supervised release of 5 years

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

See Attachment A - Defendant Information Sheet

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: See Attachment A - Defendant Information Sheet

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

NOV - 6 2012

DEFENDANT - U.S.

▶ JAIME CERVANTES

DISTRICT COURT NUMBER

TBD **CR 12 792**
 RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

YGR

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1)
- ☒
- If not detained give date any prior summons was served on above charges ▶

- 2)
- ☐
- Is a Fugitive

- 3)
- ☐
- Is on Bail or Release from (show district)

IS IN CUSTODY

- 4)
- ☐
- On this charge

- 5)
- ☐
- On another conviction

☐ Federal ☐ State

- 6)
- ☐
- Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST ▶

Month/Day/Year

Or... If Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY ▶

Month/Day/Year

☒ U.S. Attorney ☐ Other U.S. Agency

☐ This report amends AO 257 previously submitted
PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI SPECIAL AGENT RUSSELL NIMMO

- ☐
- person is awaiting trial in another Federal or State Court, give name of court

- ☐
- this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

- ☐
- this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

 SHOW
DOCKET NO.

- ☐
- this prosecution relates to a pending case involving this same defendant

 MAGISTRATE
CASE NO.

- ☐
- prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

Name of Assistant U.S. Attorney (if assigned)

Asst U.S. Atty Kathryn Haun

ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**

- ☐
- SUMMONS
- ☐
- NO PROCESS*
- ☒
- WARRANT

Bail Amount: No Bail

If Summons, complete following:

- ☐
- Arraignment
- ☐
- Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: Before Judge:

Comments:

(3) JAIME CERVANTES, a/k/a/ "Hennessy"

COUNT 1: 18 U.S.C. § 1962(d) — Racketeering Conspiracy

Maximum term of life imprisonment

Maximum term of 5 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 2: 18 U.S.C. § 1959(a)(5) — Conspiracy to Commit Murder in Aid of Racketeering

Maximum term of 10 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 3: 18 U.S.C. § 1959(a)(6) — Conspiracy to Commit Assault with a Dangerous Weapon in Aid of Racketeering

Maximum term of 3 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 5: 18 U.S.C. § 371 — Conspiracy to Obstruct Justice

Maximum term of 5 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 6: 18 U.S.C. §§ 3 and 1959(a)(1) — Accessory After the Fact to Racketeering Murder

Maximum term of 15 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 7: 18 U.S.C. §§ 1512(c)(2) and 2— Obstruction of Justice

Maximum term of 20 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 8: 18 U.S.C. §§ 1519 and 2 – Destruction of Object to Obstruct Investigation

Maximum term of 20 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 9: 18 U.S.C. §§ 844(h) and 2 – Use of Fire to Commit Felony

Maximum term of 10 years' imprisonment

Mandatory minimum term of 10 years' imprisonment, to be imposed consecutive to any other term of imprisonment

Maximum term of supervised release of 3 years

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNTS 10 and 11: 18 U.S.C. §§ 1959(a)(3) and 2 – Assault with a Dangerous Weapon in Aid of Racketeering

Maximum term of 20 years imprisonment

Maximum term of supervised release of 3 years

Maximum fine of the greatest of either: (a) \$250,000; or (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 12: 18 U.S.C. § 1951(a) — Conspiracy to Commit Robbery Affecting Interstate Commerce

Maximum term of 20 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 13: 18 U.S.C. §§ 1951(a) and 2 — Robbery Affecting Interstate Commerce

Maximum term of 20 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 14: 18 U.S.C. §§ 924(c) and 2 – Possession of a Firearm in Furtherance of a Crime of Violence

Maximum term of life imprisonment

Mandatory minimum term of 5, 7, or 10 years' imprisonment, to be imposed consecutive to any other term of imprisonment

Maximum term of supervised release of 5 years

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

See Attachment A - Defendant Information Sheet

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: See Attachment A - Defendant Information Sheet

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

DEFENDANT - U.S.

KARL GRAY

DISTRICT COURT NUMBER

CR 12 792

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI SPECIAL AGENT RUSSELL NIMMO

- ☐
- person is awaiting trial in another Federal or State Court, give name of court

- ☐
- this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

- ☐
- this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

- ☐
- this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

- ☐
- prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

Asst U.S. Atty Kathryn Haun

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1)
- ☐
- If not detained give date any prior summons was served on above charges

- 2)
- ☐
- Is a Fugitive

- 3)
- ☐
- Is on Bail or Release from

IS IN CUSTODY

- 4)
- ☐
- On this charge

- 5)
- ☐
- On another conviction

☐ Federal ☐ State

- 6)
- ☒
- Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

SONOMA COUNTY SUPERIOR COURT

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

 Month/Day/Year
 JUNE 2012

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**

- ☐
- SUMMONS
- ☐
- NO PROCESS*
- ☒
- WARRANT

Bail Amount: No Bail

If Summons, complete following:

- ☐
- Arraignment
- ☐
- Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: Before Judge:

Comments:

(4) KARL GRAY, a/k/a "Creeper"

COUNT 1: 18 U.S.C. § 1962(d) — Racketeering Conspiracy

Maximum term of life imprisonment

Maximum term of 5 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 2: 18 U.S.C. § 1959(a)(5) — Conspiracy to Commit Murder in Aid of Racketeering

Maximum term of 10 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 3: 18 U.S.C. § 1959(a)(6) — Conspiracy to Commit Assault with a Dangerous Weapon in Aid of Racketeering

Maximum term of 3 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 16: 21 U.S.C. § 841(a) and 18 U.S.C. § 2 — Possession with Intent to Distribute Controlled Substance

Maximum term of 10 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of: \$1,000,000

Mandatory special assessment of \$100

COUNT 17: 18 U.S.C. §§ 924(c) and 2 — Possession of a Firearm in Furtherance of a Drug Trafficking Crime

Maximum term of life imprisonment

Mandatory minimum term of 5, 7, or 10 years' imprisonment, to be imposed consecutive to any other term of imprisonment

Maximum term of supervised release of 5 years

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNTS 18 and 19: 18 U.S.C. §§ 922(g) and 2 — Felon in Possession of Firearm and Ammunition

- Maximum term of 10 years' imprisonment
- Maximum term of 3 years' supervised release
- Maximum fine of: \$250,000
- Mandatory special assessment of \$100

COUNTS 20: 18 U.S.C. § 371 — Conspiracy to Obstruct Justice

- Maximum term of 5 years' imprisonment
- Maximum term of 3 years' supervised release
- Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another
- Mandatory special assessment of \$100

COUNT 21: 18 U.S.C. §§ 1512(c)(2) and 2— Obstruction of Justice

- Maximum term of 20 years' imprisonment
- Maximum term of 3 years' supervised release
- Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another
- Mandatory special assessment of \$100

COUNT 22: 18 U.S.C. §§ 1519 and 2 – Concealment of Object to Obstruct Investigation

- Maximum term of 20 years' imprisonment
- Maximum term of 3 years' supervised release
- Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another
- Mandatory special assessment of \$100

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING

OFFENSE CHARGED

See Attachment A - Defendant Information Sheet

- ☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY: See Attachment A - Defendant Information Sheet

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

DEFENDANT - U.S. NOV 6 2012

PETER CUEN

DISTRICT COURT NUMBER

TBD

CR 12 792

YGR

DEFENDANT

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

- 1) ☒ If not detained give date any prior summons was served on above charges

- 2) ☐ Is a Fugitive

- 3) ☐ Is on Bail or Release from (state district)

IS IN CUSTODY

- 4) ☐ On this charge

- 5) ☐ On another conviction

☐ Federal ☐ State

- 6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI SPECIAL AGENT RUSSELL NIMMO

- ☐ person is awaiting trial in another Federal or State Court, give name of court

- ☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

- ☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

- ☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

- ☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

Asst U.S. Atty Kathryn Haun

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

- ☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: No Bail

If Summons, complete following:

- ☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: Before Judge:

Comments:

(6) PETER CUEN, a/k/a/ "Mijo"

COUNT 1: 18 U.S.C. § 1962(d) — Racketeering Conspiracy

Maximum term of life imprisonment

Maximum term of 5 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 2: 18 U.S.C. § 1959(a)(5) — Conspiracy to Commit Murder in Aid of Racketeering

Maximum term of 10 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 3: 18 U.S.C. § 1959(a)(6) — Conspiracy to Commit Assault with a Dangerous Weapon in Aid of Racketeering

Maximum term of 3 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 4: 18 U.S.C. §§ 924(c) and 2 — Possession of a Firearm in Furtherance of a Crime of Violence

Maximum term of life imprisonment

Mandatory minimum term of 5, 7, or 10 years' imprisonment, to be imposed consecutive to any other term of imprisonment

Maximum term of supervised release of 5 years

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

See Attachment A - Defendant Information Sheet

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: See Attachment A - Defendant Information Sheet

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

DEFENDANT - U.S.

RICHIE MICHELSON

DISTRICT COURT NUMBER

CR 12 792

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI SPECIAL AGENT RUSSELL NIMMO

- ☐
- person is awaiting trial in another Federal or State Court, give name of court

- ☐
- this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

- ☐
- this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

- ☐
- this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

- ☐
- prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

Asst U.S. Atty Kathryn Haun

DEFENDANT**IS NOT IN CUSTODY**

- Has not been arrested, pending outcome this proceeding.
- 1) ☐ If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction } ☐ Federal ☐ State
- 6) ☒ Awaiting trial on other charges

 If answer to (6) is "Yes", show name of institution
 SONOMA COUNTY SUPERIOR COURT

 Has detainer been filed? ☒ Yes ☐ No

 If "Yes" give date filed
 NOVEMBER 2012

DATE OF ARREST

 Month/Day/Year
 NOVEMBER 2012

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

Bail Amount: No Bail

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

(5) RICHIE MICHELSON, a/k/a "Noodles"

COUNT 1: 18 U.S.C. § 1962(d) — Racketeering Conspiracy

Maximum term of life imprisonment

Maximum term of 5 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 2: 18 U.S.C. § 1959(a)(5) — Conspiracy to Commit Murder in Aid of Racketeering

Maximum term of 10 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 3: 18 U.S.C. § 1959(a)(6) — Conspiracy to Commit Assault with a Dangerous Weapon in Aid of Racketeering

Maximum term of 3 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 4: 18 U.S.C. §§ 924(c) and 2 — Possession of a Firearm in Furtherance of a Crime of Violence

Maximum term of life imprisonment

Mandatory minimum term of 5, 7, or 10 years' imprisonment, to be imposed consecutive to any other term of imprisonment

Maximum term of supervised release of 5 years

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 23: 18 U.S.C. §§ 1512(a)(2) and 2 — Witness Tampering

Maximum term of 20 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 24: 21 U.S.C. § 846 – Conspiracy to Distribute/Possess with Intent to Distribute a Controlled Substance

Maximum term of 10 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of: \$1,000,000

Mandatory special assessment of \$100

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

See Attachment A - Defendant Information Sheet

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: See Attachment A - Defendant Information Sheet

 Name of District Court and/or Judge/Magistrate Location
 NORTHERN DISTRICT OF CALIFORNIA

NOV 6 2012

 DEFENDANT: **YGR**
 RUDY MARTINEZ
 DISTRICT COURT NUMBER

DISTRICT COURT NUMBER

TBD

CR 12 792**DEFENDANT****IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1)
- ☐
- If not detained give date any prior summons was served on above charges

- 2)
- ☐
- Is a Fugitive

- 3)
- ☐
- Is on Bail or Release from (show District)

IS IN CUSTODY

- 4)
- ☐
- On this charge

- 5)
- ☐
- On another conviction

☐ Federal ☐ State

- 6)
- ☒
- Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

DISTRICT OF UTAH

 Has detainer been filed? ☒ Yes ☐ No

If "Yes" give date filed

OCTOBER 2012

DATE OF ARREST

 Month/Day/Year
 OCTOBER 2012

Or... If Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI SPECIAL AGENT RUSSELL NIMMO

- ☐
- person is awaiting trial in another Federal or State Court, give name of court

- ☐
- this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

- ☐
- this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

- ☐
- this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

- ☐
- prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned)

Asst U.S. Atty Kathryn Haun

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**

- ☐
- SUMMONS
- ☐
- NO PROCESS*
- ☒
- WARRANT

Bail Amount: No Bail

If Summons, complete following:

- ☐
- Arraignment
- ☐
- Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

(7) RUDY MARTINEZ, a/k/a/ "Rene"

COUNT 1: 18 U.S.C. § 1962(d) — Racketeering Conspiracy

Maximum term of life imprisonment

Maximum term of 5 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 4: 18 U.S.C. §§ 924(c) and 2 — Possession of a Firearm in Furtherance of a Crime of Violence

Maximum term of life imprisonment

Mandatory minimum term of 5, 7, or 10 years' imprisonment, to be imposed consecutive to any other term of imprisonment

Maximum term of supervised release of 5 years

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

See Attachment A - Defendant Information Sheet

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: See Attachment A - Defendant Information Sheet

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

DEFENDANT - U.S.

ELIAS GONZALES

DISTRICT COURT NUMBER

GR 12 792

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1) ☒ If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from

IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction } ☐ Federal ☐ State
- 6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer ☐ Yes
 been filed? ☐ No

 If "Yes"
 give date
 filed
DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

FBI SPECIAL AGENT RUSSELL NIMMO

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

Asst U.S. Atty Kathryn Haun

ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: No Bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: Before Judge:

Comments:

(8) ELIAS GONZALES, a/k/a/ "Hammer"

COUNT 1: 18 U.S.C. § 1962(d) — Racketeering Conspiracy

Maximum term of life imprisonment

Maximum term of 5 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 4: 18 U.S.C. §§ 924(c) and 2 — Possession of a Firearm in Furtherance of a Crime of Violence

Maximum term of life imprisonment

Mandatory minimum term of 5, 7, or 10 years' imprisonment, to be imposed consecutive to any other term of imprisonment

Maximum term of supervised release of 5 years

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

See Attachment A - Defendant Information Sheet

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: See Attachment A - Defendant Information Sheet

Name of District Court, and/or Judge/Magistrate Location

 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

DEFENDANT - U.S.

PEGGY LAREZ

DISTRICT COURT NUMBER

CR 12 792

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI SPECIAL AGENT RUSSELL NIMMO

- ☐
- person is awaiting trial in another Federal or State Court, give name of court

- ☐
- this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

- ☐
- this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

- ☐
- this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

- ☐
- prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned)

Asst U.S. Atty Kathryn Haun

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1)
- ☒
- If not detained give date any prior summons was served on above charges

- 2)
- ☐
- Is a Fugitive

- 3)
- ☐
- Is on Bail or Release from (show District)

IS IN CUSTODY

- 4)
- ☐
- On this charge

- 5)
- ☐
- On another conviction

☐ Federal ☐ State

- 6)
- ☐
- Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**

- ☐
- SUMMONS
- ☐
- NO PROCESS*
- ☒
- WARRANT

Bail Amount: No Bail

If Summons, complete following:

- ☐
- Arraignment
- ☐
- Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: Before Judge:

Comments:

(9) **PEGGY LAREZ**

COUNT 1: 18 U.S.C. § 1962(d) — Racketeering Conspiracy

Maximum term of life imprisonment

Maximum term of 5 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 3: 18 U.S.C. § 1959(a)(6) — Conspiracy to Commit Assault with a Dangerous Weapon in Aid of Racketeering

Maximum term of 3 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 4: 18 U.S.C. §§ 924(c) and 2 — Possession of a Firearm in Furtherance of a Crime of Violence

Maximum term of life imprisonment

Mandatory minimum term of 5, 7, or 10 years' imprisonment, to be imposed consecutive to any other term of imprisonment

Maximum term of supervised release of 5 years

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

See Attachment A - Defendant Information Sheet

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: See Attachment A - Defendant Information Sheet

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

NOV - 6 - 2012

DEFENDANT - U.S.

RICHARD MARTINEZ

DISTRICT COURT NUMBER
TBD

CR 12 792

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI SPECIAL AGENT RUSSELL NIMMO

- ☐
- person is awaiting trial in another Federal or State Court, give name of court

- ☐
- this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

- ☐
- this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE
SHOW
DOCKET NO.

- ☐
- this prosecution relates to a pending case involving this same defendant

MAGISTRATE
CASE NO.

- ☐
- prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

Asst U.S. Atty Kathryn Haun

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1)
- ☐
- If not detained give date any prior summons was served on above charges

- 2)
- ☐
- Is a Fugitive

- 3)
- ☐
- Is on Bail or Release from (show District)

IS IN CUSTODY

- 4)
- ☐
- On this charge

- 5)
- ☐
- On another conviction

☐ Federal ☐ State

- 6)
- ☒
- Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

NDCAL - SAN FRANCISCO

 Has detainer been filed? ☒ Yes ☐ No

If "Yes" give date filed

DATE OF
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: No Bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: Before Judge:

Comments:

(10) RICHARD MARTINEZ, a/k/a/ "Maniac"

COUNT 5: 18 U.S.C. §§ 3 and 1959(a)(1) — Accessory After the Fact to Racketeering Murder

Maximum term of 15 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 6: 18 U.S.C. § 371 — Conspiracy to Obstruct Justice

Maximum term of 5 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 7: 18 U.S.C. §§ 1512(c)(2) and 2 — Obstruction of Justice

Maximum term of 20 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 8: 18 U.S.C. §§ 1519 and 2 — Destruction of Object to Obstruct Investigation

Maximum term of 20 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 9: 18 U.S.C. §§ 844(h) and 2 — Use of Fire to Commit Felony

Maximum term of 10 years' imprisonment

Mandatory minimum term of 10 years' imprisonment, to be imposed consecutive to any other term of imprisonment

Maximum term of supervised release of 3 years

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: OAKLAND

UNITED STATES OF AMERICA,

FILED

V.

NOV - 6 2012

RECEIVED MAIL ROOM
U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LAZAR, ET. AL

YGR

CR 12 792

DEFENDANT(S).

INDICTMENT

VIOLATIONS: 18 U.S.C. § 1962(d) – Racketeering Conspiracy; 18 U.S.C. § 1959 – Violent Crime in Aid of Racketeering; 18 U.S.C. § 924(c) – Use/Possession of Firearm in Furtherance of Crime of Violence/Drug Trafficking Crime; 18 U.S.C. § 922(g)(1) – Felon in Possession of Firearm/Ammunition; 18 U.S.C. § 1951 – Hobbs Act Robbery/Conspiracy; 18 U.S.C. § 1512 – Obstruction of Justice/Witness Tampering; 18 U.S.C. § 1513 – Witness Retaliation; 18 U.S.C. § 1519 – Concealing/Destroying Object to Obstruct Investigation; 18 U.S.C. § 844(h) – Use of Fire to Commit Federal Felony; 21 U.S.C. 841(a)(1) – Possession with Intent to Distribute Controlled Substance; 21 U.S.C. 846 – Drug Conspiracy; 18 U.S.C. § 371 – Conspiracy; 18 U.S.C. § 2 – Aiding and Abetting; 18 U.S.C. § 3 – Accessory After the Fact; 18 U.S.C. 1963 – RICO Forfeiture.

A true bill.

J. Schen

Foreman

Filed in open court this 6 day of NOVEMBER, 2012

L. Scott

Clerk

Bail, \$

no bail warrants to all defendants
11/6/12

MELINDA HAAG (CABN 132612)
United States Attorney

FILED

NOV - 6 2012

RICHARD W. WICKING
U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

YGR

UNITED STATES OF AMERICA,

CR 12 792

v.

- (1) ALBERTO LAREZ,
a/k/a "Bird,"
- (2) SHANE BOWMAN,
a/k/a "Huero,"
- (3) JAIME CERVANTES,
a/k/a "Hennessy,"
- (4) KARL GRAY,
a/k/a "Creeper,"
- (5) PETER CUEN,
a/k/a "Mijo,"
- (6) RICHIE MICHELSON,
a/k/a "Noodles,"
- (7) RUDY MARTINEZ,
a/k/a "Rene,"
- (8) ELIAS GONZALES,
a/k/a "Hammer,"
- (9) PEGGY LAREZ, and
- (10) RICHARD MARTINEZ,
a/k/a "Maniac,"

VIOLATIONS: 18 U.S.C. § 1962(d) –
Racketeering Conspiracy; 18 U.S.C. § 1959 –
Violent Crime in Aid of Racketeering; 18
U.S.C. § 924(c) – Use/Possession of Firearm
in Furtherance of Crime of Violence/Drug
Trafficking Crime; 18 U.S.C. § 922(g)(1) –
Felon in Possession of Firearm/Ammunition;
18 U.S.C. § 1951 – Hobbs Act
Robbery/Conspiracy; 18 U.S.C. § 1512 –
Obstruction of Justice/Witness Tampering; 18
U.S.C. § 1513 – Witness Retaliation; 18
U.S.C. § 1519 – Concealing/Destroying
Object to Obstruct Investigation; 18 U.S.C. §
844(h) – Use of Fire to Commit Federal
Felony; 21 U.S.C. 841(a)(1) – Possession
with Intent to Distribute Controlled Substance;
21 U.S.C. 846 – Drug Conspiracy; 18 U.S.C.
§ 371 – Conspiracy; 18 U.S.C. § 2 – Aiding
and Abetting; 18 U.S.C. § 3 – Accessory After
the Fact; 18 U.S.C. 1963 – RICO Forfeiture.

OAKLAND VENUE

Defendants.

Document No. **1 KC**
District Court
Criminal Case Processing

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COUNT ONE: (18 U.S.C. § 1962(d) — Racketeering Conspiracy)

1. *Nuestra Familia* — Spanish for “Our Family” and also known by the letters “*NF*” — is a prison gang that was formed in the late 1960s in the California State prison system. The rise of *Nuestra Familia* is linked to the emergence in the late 1950s of another prison gang called the Mexican Mafia, also known as “*La Eme*.” Hispanic inmates in the California State prison system joined together to form what became the Mexican Mafia for protection against other prison gangs as well as to engage in illegal activities for profit. The Mexican Mafia soon became dominated by Mexican and Mexican-American inmates from Southern California, and Hispanic inmates from Northern California perceived that they were marginalized under the dominion of the Mexican Mafia. As a result, Hispanic inmates with roots in Northern California banded together and formed what became *Nuestra Familia* in order to protect themselves and advance their own interests.

3. *Nuestra Familia* is comprised of relatively few full members, who are known as *carnales* and who control the gang. An individual becomes a *Nuestra Familia* member or *carnal* after being properly schooled, sponsored, and approved by other *Nuestra Familia carnales*. A *carnal* must also prove his loyalty and worth by committing crimes and conducting himself for the gang's benefit. A *carnal* must value the gang above all else and must be willing to sacrifice even family and friends for the gang. According to *Nuestra Familia's* rules, once one becomes a

1 *carnal*, death is the only way to withdraw from the gang.

2 4. *Nuestra Familia carnales* control and direct the activities of others, notably
3 members of the various *Norteño* street gangs. *Norteño* gang members pledge their allegiance and
4 loyalty to *Nuestra Familia* and are instructed on the rules, rituals, and obligations of *Nuestra*
5 *Familia*. *Norteños* commit crimes such as narcotics trafficking, robbery, and murder to benefit
6 themselves and *Nuestra Familia*. Proceeds generated by such illegal activities are expected to be
7 paid as a "tax" to *Nuestra Familia carnales*. If a *carnal* is incarcerated, the tax is paid into the
8 *carnal's* jail or prison commissary account or to the *carnal's* family. *Nuestra Familia* enforces
9 its rules and promotes discipline among its members and associates by assaulting and threatening
10 those individuals who violate the rules or pose a threat to the organization.

11 5. As a response to the prison gang problem in the California prison system, the
12 California Department of Corrections and Rehabilitation ("CDC") initiated its Secure Housing
13 Units ("SHU") programs in its prison facilities. The CDC identified prison gang leaders in a
14 particular facility, removed them from the prison's mainline housing units, and placed them into
15 segregated SHU cells. The goal of the SHU programs was to limit the influence of prison gang
16 leaders by isolating them, thereby restricting their communications and their ability to direct
17 criminal activities of other gang members in and out of CDC custody.

18 6. By the early 1980s, the majority of *Nuestra Familia carnales* had been placed in
19 SHU programs, which limited the prison gang's numbers and its influence within the CDC. As a
20 response to the SHU programs, *Nuestra Familia* created a separate gang called *Nuestra Raza*
21 (Spanish for "Our Race"), also known by the letters "NR." *Nuestra Familia* gave *Nuestra Raza*
22 members a set of rules, known as the "14 bonds," that governed their conduct and educated them
23 in carrying out *Nuestra Familia's* orders. *Nuestra Raza* members eventually became the "foot
24 soldiers" for *Nuestra Familia* and also provided a larger recruiting pool to *Nuestra Familia* by
25 preparing inmates for *Nuestra Familia* membership. Because *Nuestra Raza* was not yet
26 classified as a prison gang, its members were not automatically segregated into SHU programs.
27 Through their *Nuestra Raza* lieutenants, *Nuestra Familia carnales* were able to restore their
28 control within the CDC. By the 1990s, *Nuestra Raza* had grown in size and power and also

1 became known as the "Northern Structure" or "NS."

2 7. Despite the efforts of law enforcement officials, *Nuestra Familia* continues to
3 flourish and has expanded its influence over illegal activities outside of the prison system. After
4 *Nuestra Familia* members or associates are released from prison, they remain loyal to *Nuestra*
5 *Familia* and work to further the goals of *Nuestra Familia* outside of the prison environment.
6 Despite being imprisoned and being closely scrutinized by prison officials, *Nuestra Familia*
7 *carnales* still manage to convey their orders to *Nuestra Familia* members and associates in and
8 outside of prison through a variety of means, including secret notes, called "kites" or "filters,"
9 coded letters, and messages conveyed by complicit visitors. These messages are also sent as
10 legal mail (thereby securing the privacy of its contents), or as a three-way messaging system
11 using post office boxes pursuant to which third parties pick up coded messages and re-deliver
12 them to the intended recipients outside of prison. These types of communications allow
13 incarcerated *Nuestra Familia* members to communicate with and direct other incarcerated
14 members and associates, as well as to communicate with and direct members and associates on
15 the streets.

16 8. *Nuestra Familia* organizes its followers on the streets into "regiments," or
17 "crews," which commit crimes for the gang's benefit. A regiment is usually led by a regimental
18 commander who is typically a *carnal* or a high-level *Nuestra Raza* or *Norteño* gang member.
19 Some *carnales* command more than one regiment. The rank and file of a *Nuestra Familia*
20 regiment are called "soldiers" and are usually *Norteños*. Among other things, the regimental
21 commander is responsible for overseeing the criminal activities of his regiment. The gang
22 member in charge of a regiment collects the regiment's ill-gotten gains and then — after keeping
23 his share — transfers the money to the gang's leadership in prison.

24 9. *Nuestra Familia* and its affiliated gangs have been and continue to be engaged in
25 a fierce and violent gang war with the Mexican Mafia and the Mexican Mafia's affiliated gangs,
26 which are generally called "*Sureño*" or "Southern" gangs. Within the prison system, this rivalry
27 manifests itself in beatings and stabbings, which often result in death. Outside the prison system,
28 the two sides, north and south, fight for control of narcotics trafficking territory as well as control

1 over other crimes. In addition to fighting for control over remunerative illegal activities and
2 using violence and terror for the purpose of enriching themselves, the two sides also engage in
3 violence simply to assert their gang identities.

4 The Racketeering Enterprise

5 10. *Nuestra Familia*, including its leadership, members, associates, and members of
6 its affiliate organizations, including *Nuestra Raza*/Northern Structure and the *Norteños*,
7 constituted an "enterprise" as defined in Title 18, United States Code, Section 1961(4), that is, a
8 group of individuals associated in fact. The enterprise constituted an ongoing organization
9 whose members functioned as a continuing unit for a common purpose of achieving the
10 objectives of the enterprise. The enterprise was engaged in, and its activities affected, interstate
11 and foreign commerce.

12 Purposes of the Enterprise

13 11. The purposes of the *Nuestra Familia* enterprise included the following:

- 14 a. Preserving and protecting the power, territory, reputation, and profits of
15 *Nuestra Familia* through the use of intimidation, violence, threats of violence, assaults, and
16 murder;
- 17 b. Enriching the members and associates of *Nuestra Familia* through, among
18 other things, the control of and participation in the distribution of controlled substances;
- 19 c. Enriching the members and associates of *Nuestra Familia* through, among
20 other things, violence and threats of violence, extortion, assault, and robbery;
- 21 d. Keeping victims, potential victims, and witnesses in fear of *Nuestra*
22 *Familia* and in fear of its members and associates through violence and threats of violence;
- 23 e. Providing financial support to other *Nuestra Familia* members, including
24 those incarcerated for committing acts of violence, robbery, distribution of controlled substances
25 and other offenses; and
- 26 f. Protecting *Nuestra Familia* members and associates who committed
27 crimes by hindering, obstructing, and preventing law enforcement officers from identifying the
28 offenders, apprehending the offenders, and successfully prosecuting and punishing the offenders.

The Defendants

12. ALBERTO LAREZ, a/k/a "Bird," became a member of *Nuestra Raza* in 1994. By in or about 2011, ALBERTO LAREZ had become a *Nuestra Familia carnal* serving as a regiment commander for the organization. ALBERTO LAREZ distributed controlled substances on behalf of *Nuestra Familia* and sent proceeds from his illegal narcotics trafficking to incarcerated *Nuestra Familia carnales*. In addition, throughout 2011, ALBERTO LAREZ groomed two younger *Norteños*, SHANE BOWMAN, a/k/a "Huero," and JAIME CERVANTES, a/k/a "Hennessy," to put in "work" — i.e., crimes — on behalf of *Nuestra Familia*. Among other crimes committed in furtherance of *Nuestra Familia*, on or about August 27, 2011, in the vicinity of Red Bluff, California, ALBERTO LAREZ and PEGGY LAREZ — ALBERTO LAREZ's wife — SHANE BOWMAN, and JAIME CERVANTES conspired to commit, and did commit, an armed robbery of a gas station. In addition, on or about September 10, 2011, SHANE BOWMAN, JAIME CERVANTES, and RICHARD MARTINEZ, a *Norteño* associate since at least in or about 2008, set fire to an apartment in Oakland, California, in order to destroy evidence from a double murder committed the previous day by a *Nuestra Familia carnal*. Moreover, on or about January 10, 2012, SHANE BOWMAN and JAIME CERVANTES committed a home invasion robbery in Livermore, California.

13. KARL GRAY, a/k/a "Creeper," has been an active member of *Nuestra Raza* since at least 2003. RICHIE MICHELSON, a/k/a "Noodles," has been an active member of *Nuestra Raza* since at least 2009. Among other crimes committed in furtherance of *Nuestra Familia*, in or around October 2011, GRAY removed and concealed a number of firearms that had been stored by *Nuestra Familia* members and associates at a residence in Oakland, California, in order to prevent the firearms' discovery by law enforcement officers. In addition, on or around October 10, 2012, after GRAY had been arrested and charged with possession of a firearm and drug distribution, MICHELSON threatened to kill an individual whom he believed would testify as a witness against GRAY. MICHELSON also distributed controlled substances on behalf of *Nuestra Familia* and sent proceeds from his illegal narcotics trafficking to incarcerated *Nuestra Familia carnales*.

1 14. PETER CUEN, a/k/a "Mijo," RUDY MARTINEZ, a/k/a "Rene," and ELIAS
2 GONZALES, a/k/a "Hammer," are *Norteños* who distributed controlled substances on behalf of
3 *Nuestra Familia* and sent proceeds from their illegal narcotics trafficking to incarcerated *Nuestra*
4 *Familia carnales*.

5 15. The defendants — ALBERTO LAREZ, SHANE BOWMAN, JAIME
6 CERVANTES, KARL GRAY, PETER CUEN, RICHIE MICHELSON, RUDY MARTINEZ,
7 ELIAS GONZALES, and PEGGY LAREZ — who are associates, members, and leaders of
8 *Nuestra Familia* and/or *Nuestra Familia's Nuestra Raza*/Northern Structure and/or *Norteño*
9 affiliates, acted individually, with each other, and also with non-member *Nuestra Familia*
10 associates in the commission of racketeering activities and other criminal conduct.

11 The Racketeering Conspiracy

12 16. Beginning on a date unknown to the Grand Jury but since at least the mid-2000s,
13 and continuing up through and including the present, in the Northern District of California and
14 elsewhere, the defendants,

15 ALBERTO LAREZ, a/k/a "Bird,"

16 SHANE BOWMAN, a/k/a "Huero,"

17 JAIME CERVANTES, a/k/a "Hennessy,"

18 KARL GRAY, a/k/a "Creeper,"

19 PETER CUEN, a/k/a "Mijo,"

20 RICHIE MICHELSON, a/k/a "Noodles,"

21 RUDY MARTINEZ, a/k/a "Rene,"

22 ELIAS GONZALES, a/k/a "Hammer," and

23 PEGGY LAREZ,

24 together with others known and unknown, each being a person employed by and associated with
25 *Nuestra Familia*, an enterprise engaged in, and the activities of which affected, interstate and
26 foreign commerce, unlawfully, willfully, and intentionally did conspire to violate Title 18, United
27 States Code, Section 1962(c), that is to conduct and participate, directly and indirectly, in the
28 conduct of the affairs of the *Nuestra Familia* enterprise through a pattern of racketeering activity,

1 as defined in Title 18, United States Code, Sections 1961(1) and (5), which pattern of
2 racketeering activity consisted of:

3 a. multiple acts and threats involving murder, in violation of California Penal
4 Code §§ 187, 188, 189, 182, 21a, 664, 653f, and 422;

5 b. multiple acts and threats involving robbery, in violation of California
6 Penal Code §§ 211, 212, 212.5, 213, 182, 21a, 664, 653f, and 422;

7 c. multiple acts involving dealing in controlled substances, in violation of
8 21 U.S.C. §§ 841(a)(1) and 846;

9 d. multiple acts indictable under 18 U.S.C. § 1951 (robbery/extortion
10 affecting commerce); and

11 e. multiple acts indictable under 18 U.S.C. §§ 1503 (obstruction of justice),
12 1512 (tampering with witness, victim, or informant); and 1513 (retaliating against witness,
13 victim, or informant).

14 17. It was part of the conspiracy that each defendant agreed that a member of the
15 conspiracy would commit at least two acts of racketeering activity in the conduct of the affairs of
16 the enterprise.

17 Means and Methods of the Conspiracy

18 18. It was part of the means and methods of the conspiracy that the defendants and
19 other members and associates of *Nuestra Familia*, discussed with other members and associates
20 of *Nuestra Familia*, among other things: the membership and rules of *Nuestra Familia*; the status
21 of *Nuestra Familia* members and associates who were arrested or incarcerated; the disciplining
22 of *Nuestra Familia* members; encounters between law enforcement and *Nuestra Familia*
23 members and associates; the identities of individuals suspected of cooperating with law
24 enforcement and the proposed actions to be taken against them; plans and agreements regarding
25 the commission of future crimes, including murder, robbery, narcotics distribution, illegal
26 possession of firearms, and assault, as well as ways to conceal these crimes; and the enforcement
27 of the rules of *Nuestra Familia*.

28 19. It was further part of the means and methods of the conspiracy that the defendants

1 and other members and associates of *Nuestra Familia* purchased, possessed, maintained, used,
2 and circulated a collection of firearms for use in criminal activity by the members and associates
3 of *Nuestra Familia*.

4 20. It was further part of the means and methods of the conspiracy that the defendants
5 and other members and associates of *Nuestra Familia* committed acts of violence, including
6 murder, attempted murder, and assault, including acts of violence by members and associates of
7 *Nuestra Familia* against rival gang members and others when it suited the enterprise's purposes.
8 Members of *Nuestra Familia* also used violence to impose discipline within the gang.

9 21. It was further part of the means and methods of the conspiracy that the defendants
10 and other members and associates of *Nuestra Familia* distributed narcotics, committed robbery,
11 extortion, and other crimes, and concealed their criminal activities by obstructing justice,
12 threatening and intimidating witnesses, and other means.

13 All in violation of Title 18, United States Code, Section 1962(d).

14 COUNT TWO: (18 U.S.C. § 1959(a)(5) — Conspiracy to Commit Murder in Aid
15 of Racketeering)

16 22. Paragraphs 1 through 15 and 18 through 21 of this Indictment are realleged and
17 incorporated by reference as though fully set forth herein.

18 23. At all times relevant to this Indictment, *Nuestra Familia*, including its *Nuestra*
19 *Raza*/Northern Structure and *Norteno* affiliates, constituted an enterprise as defined in Title 18,
20 United States Code, Section 1959(b)(2), that is, a group of individuals associated in fact that was
21 engaged in, and the activities of which affected, interstate and foreign commerce. The enterprise
22 constituted an ongoing organization whose members functioned as a continuing unit for a
23 common purpose of achieving the objectives of the enterprise.

24 24. At all times relevant to this Indictment, *Nuestra Familia*, the above-described
25 enterprise, through its members and associates, engaged in racketeering activity, as defined in
26 Title 18, United States Code, Sections 1959(b)(1) and 1961(1), namely, multiple acts and threats
27 involving murder, in violation of California Penal Code §§ 187, 188, 189, 182, 21a, 664, 653f,
28 and 422; multiple acts and threats involving robbery, in violation of California Penal Code §§

1 211, 212, 212.5, 213, 182, 21a, and 664; multiple acts involving dealing in a controlled
2 substance, in violation of 21 U.S.C. §§ 841(a)(1) and 846; and multiple acts indictable under 18
3 U.S.C. §§ 1951, 1503, 1512, and 1513.

4 25. Beginning on a date unknown to the Grand Jury but since at least the mid-2000s,
5 and continuing up through and including the present, in the Northern District of California and
6 elsewhere, for the purpose of gaining entrance to and maintaining and increasing position in
7 *Nuestra Familia*, an enterprise engaged in racketeering activity, the defendants,

8 ALBERTO LAREZ, a/k/a "Bird,"

9 SHANE BOWMAN, a/k/a "Huero,"

10 JAIME CERVANTES, a/k/a "Hennessy,"

11 KARL GRAY, a/k/a "Creeper,"

12 PETER CUEN, a/k/a "Mijo," and

13 RICHIE MICHELSON, a/k/a "Noodles,"

14 together with others known and unknown, unlawfully, willfully, and intentionally did combine,
15 conspire, confederate, and agree together and with each other to commit murder, in violation of
16 California Penal Code Sections 187, 188, and 189, to wit, ALBERTO LAREZ, BOWMAN,
17 JAIME CERVANTES, GRAY, CUEN, and MICHELSON agreed together and with each other
18 to kill actual and suspected members of rival gangs, individuals suspected of cooperating with
19 law enforcement, and individuals who defied the will of *Nuestra Familia*, and others in order to
20 maintain and increase their standing within the racketeering enterprise known as the *Nuestra*
21 *Familia*.

22 All in violation of Title 18, United States Code, Section 1959(a)(5).

23 COUNT THREE: (18 U.S.C. § 1959(a)(6) — Conspiracy to Commit Assault with a
24 Dangerous Weapon in Aid of Racketeering)

25 26. Paragraphs 1 through 15, 18 through 21, and 23 through 24 of this Indictment are
26 realleged and incorporated by reference as though fully set forth herein.

27 27. Beginning on a date unknown to the Grand Jury but since at least the mid-2000s,
28 and continuing up through and including the present, in the Northern District of California and

1 elsewhere, for the purpose of gaining entrance to and maintaining and increasing position in
2 *Nuestra Familia*, an enterprise engaged in racketeering activity, the defendants,

3 ALBERTO LAREZ, a/k/a "Bird,"

4 SHANE BOWMAN, a/k/a "Huero,"

5 JAIME CERVANTES, a/k/a "Hennessy,"

6 KARL GRAY, a/k/a "Creeper,"

7 PETER CUEN, a/k/a "Mijo,"

8 RICHIE MICHELSON, a/k/a "Noodles," and

9 PEGGY LAREZ,

10 together with others known and unknown, unlawfully, willfully, and intentionally did combine,
11 conspire, confederate, and agree together and with each other to commit assault with a dangerous
12 weapon, in violation of California Penal Code Section 245(a)(1), to wit, ALBERTO LAREZ,
13 BOWMAN, JAIME CERVANTES, GRAY, CUEN, MICHELSON, and PEGGY LAREZ agreed
14 together and with each other to assault with guns, knives, and other dangerous weapons actual
15 and suspected members of rival gangs, individuals suspected of cooperating with law
16 enforcement, and individuals who defied the will of *Nuestra Familia*, and others in order to
17 maintain and increase their standing within the racketeering enterprise known as *Nuestra*
18 *Familia*.

19 All in violation of Title 18, United States Code, Section 1959(a)(6).

20 COUNT FOUR: (18 U.S.C. §§ 924(c)(1)(A) and 2 — Use/Possession of Firearm in
21 Furtherance of Crime of Violence)

22 28. Beginning on a date unknown to the Grand Jury but since at least the mid-2000s,
23 and continuing up through and including the present, in the Northern District of California and
24 elsewhere, the defendants,

25 ALBERTO LAREZ, a/k/a "Bird,"

26 PETER CUEN, a/k/a "Mijo,"

27 RICHIE MICHELSON, a/k/a "Noodles,"

28 RUDY MARTINEZ, a/k/a "Rene,"

1 ELIAS GONZALES, a/k/a "Hammer," and

2 PEGGY LAREZ,

3 together with others known and unknown, unlawfully and knowingly did use and carry a firearm
4 during and in relation to a crime of violence for which they may be prosecuted in a court of the
5 United States, namely, the *Nuestra Familia* racketeering conspiracy charged in Count One of this
6 Indictment, the conspiracy to commit murder in aid of racketeering charged in Count Two of this
7 Indictment, and the conspiracy to commit assault with a dangerous weapon in aid of racketeering
8 charged in Count Three of this Indictment, and did possess a firearm in furtherance of the
9 offenses charged in Count One, Count Two, and Count Three of this Indictment, and did
10 brandish a firearm in furtherance of the offenses charged in Count One, Count Two, and Count
11 Three of this Indictment, and did discharge a firearm in furtherance of the offenses charged in
12 Count One, Count Two, and Count Three of this Indictment, to wit, ALBERTO LAREZ, CUEN,
13 MICHELSON, RUDY MARTINEZ, GONZALES, and PEGGY LAREZ possessed and used, or
14 aided and abetted another's possession and use, and had available for their use, a variety of
15 firearms to further the goals and activities of *Nuestra Familia*.

16 All in violation of Title 18, United States Code, Sections 924(c)(1)(A) and 2.

17 COUNT FIVE: (18 U.S.C. § 371 — Conspiracy to Obstruct Justice)

18 29. From at least on or about September 9, 2011, up through and including on or
19 about September 11, 2011, in the Northern District of California, the defendants,

20 SHANE BOWMAN, a/k/a "Huero,"

21 JAIME CERVANTES, a/k/a "Hennessy," and

22 RICHARD MARTINEZ, a/k/a "Maniac,"

23 and others known and unknown, unlawfully, willfully, and intentionally did combine, conspire,
24 confederate, and agree together and with each other to commit an offense against the United
25 States, to wit, to violate Title 18, United States Code, Section 1512(c)(2).

26 30. It was a part and an object of the conspiracy that the defendants,

27 SHANE BOWMAN, a/k/a "Huero,"

28 JAIME CERVANTES, a/k/a "Hennessy," and

1 RICHARD MARTINEZ, a/k/a "Maniac,"
2 and their co-conspirators, unlawfully, willfully, and intentionally would and did corruptly
3 obstruct, influence, and impede an official proceeding, in violation of Title 18, United States
4 Code, Section 1512(c)(2).

5 Overt Acts

6 31. In furtherance of the conspiracy and to effect the illegal object thereof, the
7 following overt acts, among others, were committed in the Northern District of California:

8 a. On or about September 10, 2011, SHANE BOWMAN, JAIME
9 CERVANTES, and RICHARD MARTINEZ traveled to Oakland, California.

10 b. On or about September 10, 2011, BOWMAN, JAIME CERVANTES, and
11 RICHARD MARTINEZ set fire to an apartment in Oakland, California.

12 All in violation of Title 18, United States Code, Section 371.

13 COUNT SIX: (18 U.S.C. §§ 3 and 1959(a)(1) — Accessory After the Fact to
14 Racketeering Murder)

15 32. From at least on or about September 9, 2011, up through and including on or
16 about September 11, 2011, in the Northern District of California and elsewhere, the defendants,

17 SHANE BOWMAN, a/k/a "Huero,"

18 JAIME CERVANTES, a/k/a "Hennessy," and

19 RICHARD MARTINEZ, a/k/a "Maniac,"

20 and others known and unknown, knowing that an offense against the United States had been
21 committed, to wit, a double murder committed on or about September 9, 2011, in violation of
22 Title 18, United States Code, Section 1959(a)(1), unlawfully and knowingly did receive, comfort,
23 and assist the offender in order to hinder and prevent the offender's apprehension, trial, and
24 punishment, to wit, BOWMAN, JAIME CERVANTES, and RICHARD MARTINEZ destroyed
25 evidence relating to a double murder committed on September 9, 2011, in Oakland, California.

26 All in violation of Title 18, United States Code, Section 3.

27 //

1 COUNT SEVEN: (18 U.S.C. §§ 1512(c)(2) and 2 — Obstruction of Justice)

2 33. From at least on or about September 9, 2011, up through and including on or
3 about September 11, 2012, in the Northern District of California, the defendants,

4 SHANE BOWMAN, a/k/a "Huero,"

5 JAIME CERVANTES, a/k/a "Hennessy," and

6 RICHARD MARTINEZ, a/k/a "Maniac,"

7 and others known and unknown, unlawfully and knowingly did corruptly obstruct, influence, and
8 impede an official proceeding, to wit, BOWMAN, JAIME CERVANTES, and RICHARD
9 MARTINEZ destroyed evidence relating to a double murder committed on September 9, 2011 in
10 Oakland, California.

11 All in violation of Title 18, United States Code, Sections 1512(c)(2) and 2.

12 COUNT EIGHT: (18 U.S.C. §§ 1519 and 2 — Destruction of Object to Obstruct
13 Investigation)

14 34. On or about September 10, 2011, in the Northern District of California, the
15 defendants,

16 SHANE BOWMAN, a/k/a "Huero,"

17 JAIME CERVANTES, a/k/a "Hennessy," and

18 RICHARD MARTINEZ, a/k/a "Maniac,"

19 and others known and unknown, unlawfully and knowingly did alter, destroy, mutilate, and
20 conceal a tangible object with the intent to impede, obstruct, and influence the investigation of a
21 matter within the jurisdiction of a department and agency of the United States, to wit,
22 BOWMAN, JAIME CERVANTES, and RICHARD MARTINEZ set fire to an apartment in
23 order to destroy evidence relating to a double murder committed on September 9, 2011, in
24 Oakland, California.

25 All in violation of Title 18, United States Code, Sections 1519 and 2.

26 //

1 COUNT NINE: (18 U.S.C. §§ 844(h) and 2 — Use of Fire to Commit Felony)

2 35. On or about September 10, 2011, in the Northern District of California, the
3 defendants,

4 SHANE BOWMAN, a/k/a "Huero,"

5 JAIME CERVANTES, a/k/a "Hennessy," and

6 RICHARD MARTINEZ, a/k/a "Maniac,"

7 unlawfully and knowingly did use fire to commit a felony which may be prosecuted in a court of
8 the United States, to wit, BOWMAN, JAIME CERVANTES, and RICHARD MARTINEZ set
9 fire to an apartment in Oakland, California, in order to commit the crimes of conspiring to
10 obstruct justice charged in Count Five of this Indictment, being an accessory after the fact to
11 racketeering murder charged in Count Six of this Indictment, obstructing of justice charged in
12 Count Seven of this Indictment, and destroying an object to obstruct an investigation charged in
13 Count Eight of this Indictment.

14 All in violation of Title 18, United States Code, Sections 844(h)(1) and 2.

15 COUNT TEN: (18 U.S.C. §§ 1959(a)(3) and 2 — Assault with a Dangerous
16 Weapon in Aid of Racketeering of Victim-1)

17 36. Paragraphs 1 through 15, 18 through 21, and 23 through 24 of this Indictment are
18 realleged and incorporated by reference as though fully set forth herein.

19 37. On or about January 10, 2012, in the Northern District of California, for the
20 purpose of gaining entrance to, and maintaining and increasing position in, *Nuestra Familia*, an
21 enterprise engaged in racketeering activity, the defendants,

22 SHANE BOWMAN, a/k/a "Huero," and

23 JAIME CERVANTES, a/k/a "Hennessy,"

24 together with others known and unknown, unlawfully and knowingly did assault Victim-1 with a
25 dangerous weapon, in violation of California Penal Code, Section 245(a)(1).

26 All in violation of Title 18, United States Code, Sections 1959(a)(3) and 2.

27 //

1 COUNT ELEVEN: (18 U.S.C. §§ 1959(a)(3) and 2 — Assault with a Dangerous
2 Weapon in Aid of Racketeering of Victim-2)

3 38. Paragraphs 1 through 15, 18 through 21, and 23 through 24 of this Indictment are
4 realleged and incorporated by reference as though fully set forth herein.

5 39. On or about January 10, 2012, in the Northern District of California, for the
6 purpose of gaining entrance to, and maintaining and increasing position in, *Nuestra Familia*, an
7 enterprise engaged in racketeering activity, the defendants,

8 SHANE BOWMAN, a/k/a "Huero," and

9 JAIME CERVANTES, a/k/a "Hennessy,"

10 together with others known and unknown, unlawfully and knowingly did assault Victim-2 with a
11 dangerous weapon, in violation of California Penal Code, Section 245(a)(1).

12 All in violation of Title 18, United States Code, Sections 1959(a)(3) and 2.

13 COUNT TWELVE: (18 U.S.C. § 1951(a) — Conspiracy to Commit Robbery Affecting
14 Interstate Commerce)

15 40. In or about January 2012, in the Northern District of California, the defendants,

16 SHANE BOWMAN, a/k/a "Huero," and

17 JAIME CERVANTES, a/k/a "Hennessy,"

18 and others known and unknown, unlawfully, willfully, and intentionally did combine, conspire,
19 confederate, and agree together and with each other to commit robbery, as that term is defined in
20 Title 18, United States Code, Section 1951(b)(1), and thereby would obstruct, delay, and affect
21 commerce and the movement of articles and commodities in commerce.

22 All in violation of Title 18, United States Code, Section 1951(a).

23 COUNT THIRTEEN: (18 U.S.C. §§ 1951(a) and 2 — Robbery Affecting Interstate
24 Commerce)

25 41. On or about January 10, 2012, in the Northern District of California, the
26 defendants,

27 SHANE BOWMAN, a/k/a "Huero," and

28 JAIME CERVANTES, a/k/a "Hennessy,"

1 and others known and unknown, unlawfully and knowingly did obstruct, delay, and affect
2 commerce and the movement of articles and commodities in commerce by robbery, as that term
3 is defined in Title 18, United States Code, Section 1951(b)(1).

4 All in violation of Title 18, United States Code, Sections 1951(a) and 2.

5 COUNT FOURTEEN: (18 U.S.C. §§ 924(c) and 2 — Possession of a Firearm in
6 Furtherance of a Crime of Violence)

7 42. On or about January 10, 2012, in the Northern District of California, the
8 defendants,

9 SHANE BOWMAN, a/k/a "Huero," and

10 JAIME CERVANTES, a/k/a "Hennessy,"

11 and others known and unknown, unlawfully and knowingly did use and carry a firearm during
12 and in relation to a crime of violence for which they may be prosecuted in a court of the United
13 States, namely, the assault with a dangerous weapon of Victim-1 in aid of racketeering charged in
14 Count Ten of this Indictment, the assault with a dangerous weapon of Victim-2 in aid of
15 racketeering charged in Count Eleven of this Indictment, the conspiracy to commit robbery
16 affecting commerce charged in Count Twelve of this Indictment, and the robbery affecting
17 commerce charged in Count Thirteen of this Indictment, and did possess and brandish a firearm
18 in furtherance of the offenses charged in Counts Ten, Eleven, Twelve, and Thirteen of this
19 Indictment.

20 All in violation of Title 18, United States Code, Sections 924(c) and 2.

21 COUNT FIFTEEN: (18 U.S.C. §§ 922(g) and 2 — Felon in Possession of Firearm)

22 43. On or about January 10, 2012, in the Northern District of California, the
23 defendant,

24 SHANE BOWMAN, a/k/a "Huero,"

25 having been previously convicted of a crime punishable by a term of imprisonment exceeding
26 one year, unlawfully and knowingly did possess a firearm, specifically a Smith & Wesson .357
27 caliber revolver, in and affecting interstate commerce.

28 All in violation of Title 18, United States Code, Sections 922(g)(1) and 2.

1 COUNT SIXTEEN: (21 U.S.C. § 841(a) and 18 U.S.C. § 2 — Possession with Intent to
2 Distribute Controlled Substance)

3 44. On or about May 26, 2012, in the Northern District of California, the
4 defendant,

5 KARL GRAY, a/k/a "Creeper,"
6 unlawfully and knowingly possessed with the intent to distribute methamphetamine, its salts,
7 isomers, and salts of its isomers.

8 All in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C),
9 and Title 18, United States Code, Section 2.

10 COUNT SEVENTEEN: (18 U.S.C. §§ 924(c) and 2 — Possession of a Firearm in
11 Furtherance of a Drug Trafficking Crime)

12 45. On or about May 26, 2012, in the Northern District of California, the defendant,
13 KARL GRAY, a/k/a "Creeper,"

14 and others known and unknown, unlawfully and knowingly did use and carry a firearm during
15 and in relation to a drug trafficking crime for which he may be prosecuted in a court of the
16 United States, namely, the possession of methamphetamine with intent to distribute charged in
17 Count Sixteen of this Indictment, and did possess a firearm in furtherance of the offense charged
18 in Count Sixteen of this Indictment.

19 All in violation of Title 18, United States Code, Sections 924(c) and 2.

20 COUNT EIGHTEEN: (18 U.S.C. §§ 922(g) and 2 — Felon in Possession of Firearm)

21 46. On or about May 26, 2012, in the Northern District of California, the defendant,
22 KARL GRAY, a/k/a "Creeper,"

23 having been previously convicted of a crime punishable by a term of imprisonment exceeding
24 one year, unlawfully and knowingly did possess a firearm, specifically a Ruger LCP .380 caliber
25 handgun, in and affecting interstate commerce.

26 All in violation of Title 18, United States Code, Sections 922(g)(1) and 2.

27 //

1 COUNT NINETEEN: (18 U.S.C. §§ 922(g) and 2 — Felon in Possession of Firearm)

2 47. On or about June 7, 2012, in the Northern District of California, the defendant,
3 KARL GRAY, a/k/a "Creeper,"
4 having been previously convicted of a crime punishable by a term of imprisonment exceeding
5 one year, unlawfully and knowingly did possess a firearm, specifically a Dreyse 1907 .32 caliber
6 handgun, in and affecting interstate commerce.

7 All in violation of Title 18, United States Code, Sections 922(g)(1) and 2.

8 COUNT TWENTY: (18 U.S.C. § 371 — Conspiracy to Obstruct Justice)

9 48. In or about October 2011, in the Northern District of California, the defendants,
10 ALBERTO LAREZ, a/k/a "Bird," and
11 KARL GRAY, a/k/a "Creeper,"
12 and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire,
13 confederate, and agree together and with each other to commit an offense against the United
14 States, to wit, to violate Title 18, United States Code, Section 1512(c)(2).

15 49. It was a part and an object of the conspiracy that the defendants,
16 ALBERTO LAREZ, a/k/a "Bird," and
17 KARL GRAY, a/k/a "Creeper,"
18 and their co-conspirators, unlawfully, willfully, and intentionally would and did corruptly
19 obstruct, influence, and impede an official proceeding, in violation of Title 18, United States
20 Code, Section 1512(c)(2).

21 Overt Acts

22 50. In furtherance of the conspiracy and to effect the illegal object thereof, the
23 following overt acts, among others, were committed in the Northern District of California:

24 a. In or about October 2011, in Oakland, California, ALBERTO LAREZ
25 instructed KARL GRAY to discard firearms stored in a residence in Oakland.

26 b. In or about October 2011, in Oakland, California, GRAY removed
27 firearms from a residence in Oakland.

28 All in violation of Title 18, United States Code, Section 371.

1 COUNT TWENTY-ONE: (18 U.S.C. §§ 1512(c)(2) and 2 — Obstruction of Justice)

2 51. In or about October 2011, in the Northern District of California, the defendants,
3 ALBERTO LAREZ, a/k/a "Bird," and
4 KARL GRAY, a/k/a "Creeper,"
5 and others known and unknown, unlawfully and knowingly did corruptly obstruct, influence, and
6 impede an official proceeding, to wit, ALBERTO LAREZ and GRAY discarded firearms stored
7 at a residence in Oakland, California, thereby obstructing and impeding a federal criminal
8 investigation.

9 All in violation of Title 18, United States Code, Sections 1512(c)(2) and 2.

10 COUNT TWENTY-TWO: (18 U.S.C. §§ 1519 and 2 — Concealment of Object to Obstruct
11 Investigation)

12 52. In or about October 2011, in the Northern District of California, the
13 defendants,

14 ALBERTO LAREZ, a/k/a "Bird," and
15 KARL GRAY, a/k/a "Creeper,"
16 and others known and unknown, unlawfully and knowingly did alter, destroy, mutilate, and
17 conceal a tangible object with the intent to impede, obstruct, and influence the investigation of a
18 matter within the jurisdiction of a department and agency of the United States, to wit, ALBERTO
19 LAREZ and GRAY discarded firearms stored at a residence in Oakland, California, thereby
20 obstructing and impeding a federal criminal investigation.

21 All in violation of Title 18, United States Code, Sections 1519 and 2.

22 COUNT TWENTY-THREE: (18 U.S.C. §§ 1512(a)(2) and 2 — Witness Tampering)

23 53. On or about October 13, 2012, in the Northern District of California, the
24 defendant,

25 RICHIE MICHELSON, a/k/a "Noodles,"
26 unlawfully and knowingly did use the threat of physical force against a person with intent to
27 influence, delay, and prevent the testimony of that person in an official proceeding, and to cause
28 and induce that person to withhold testimony from an official proceeding, and to hinder, delay,

1 and prevent the communication to a law enforcement officer and judge of the United States of
2 information relating to the commission and possible commission of a federal offense, to wit,
3 MICHELSON threatened to kill an individual whom he believed would testify as a witness
4 against KARL GRAY to prevent that witness from testifying and providing information against
5 GRAY.

6 All in violation of Title 18, United States Code, Sections 1512(a)(2) and 2.

7 COUNT TWENTY-FOUR: (21 U.S.C. § 846 — Conspiracy to Distribute/Possess with Intent
8 to Distribute a Controlled Substance)

9 54. From at least in or about April 2009 up through and including in or about
10 November 2009, in the Northern District of California, the defendant,

11 RICHIE MICHELSON, a/k/a "Noodles,"

12 and others known and unknown, unlawfully, willfully, and intentionally did conspire to distribute
13 and possess with intent to distribute methamphetamine, its salts, isomers, and salts of its isomers.

14 All in violation of Title 21, United States Code, Sections 846 and 841(a)(1) and
15 (b)(1)(C).

16 FORFEITURE ALLEGATION: (18 U.S.C. § 1963 — Proceeds and Property Involved in
17 Racketeering)

18 55. The allegations contained in Count One of this Indictment are hereby realleged
19 and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United
20 States Code, Section 1963.

21 56. Pursuant to Title 18, United States Code, Section 1963, upon conviction of an
22 offense in violation of Title 18, United States Code, Section 1962, the defendants,

23 ALBERTO LAREZ, a/k/a "Bird,"

24 SHANE BOWMAN, a/k/a "Huero,"

25 JAIME CERVANTES, a/k/a "Hennessy,"

26 KARL GRAY, a/k/a "Creeper,"

27 PETER CUEN, a/k/a "Mijo,"

28 RICHIE MICHELSON, a/k/a "Noodles,"

1 RUDY MARTINEZ, a/k/a "Rene,"

2 ELIAS GONZALES, a/k/a "Hammer," and

3 PEGGY LAREZ,

4 shall forfeit to the United States of America:

5 a. any interest the defendants have acquired and/or maintained in violation
6 of 18 U.S.C. § 1962;

7 b. any interest in, security, of, claim against, and property and contractual
8 right of any kind affording a source of influence over an enterprise which the defendants have
9 established, operated, controlled, conducted, and participated in the conduct of in violation of 18
10 U.S.C. § 1962;

11 c. any property constituting, and derived from, any proceeds obtained,
12 directly and indirectly, from racketeering activity in violation of 18 U.S.C. § 1962.

13 57. Defendants are jointly and severally liable for forfeiture.

14 58. If any of the property described above, as a result of any act or omission of the
15 defendants:

- 16 a. cannot be located upon the exercise of due diligence;
17 b. has been transferred or sold to, or deposited with, a third party;
18 c. has been placed beyond the jurisdiction of the court;
19 d. has been substantially diminished in value;
20 e. has been commingled with other property which cannot be divided
21 without difficulty,

22 //

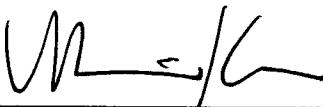
1 the United States shall be entitled to forfeiture of substitute property pursuant to Title 18, United
2 States Code, Section 1963(m).


3
4 DATED: November 6, 2012

A TRUE BILL

5
6 
FOREPERSON

7 MELINDA HAAG
United States Attorney

8 
9
10 MIRANDA KANE
Chief, Criminal Division

11
12 (Approved as to form: 
13)

KATHRYN HAUN
RANDY LUSKEY
Assistant United States Attorneys